

09/689,730

DAE
F



Docket No.: 0055-0310P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Motoharu SEIKI et al.

Patent No.: 6,825,024B1

Issued: November 30, 2004

For: NOVEL METALLOPROTEINASE AND
ENCODING DNA THEREFOR

PETITION UNDER 37 C.F.R. § 1.183 TO CHANGE ASSIGNEE'S NAME

MS Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a request for a Certificate of Correction under 37 C.F.R. § 1.323 to correct the Assignee's Name on the issued patent. It is respectfully requested that both the request for a Certificate of Correction and the instant Petition be granted such that a Certificate of Correction will issue with the correction as follows:

09/12/2005 EAYALEW1 00000046 6825024
02 FC:1462 400.00 OP --DAIICHI FINE CHEMICAL CO., LTD.--

The required fee of \$400.00 under 37 C.F.R. § 1.17(f) is listed on the Fee transmittal attached hereto.

It is requested that 37 C.F.R. § 3.81 (a) be waived to provide the complete listing of assignees. Failure to include a complete listing of assignees' names under item (5) of PTOL 85-B was inadvertent.

A copy of the RECORDATION OF ASSIGNMENT DOCUMENT is enclosed.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: September 9, 2005

Respectfully submitted,

By MaryAnne Armstrong
MaryAnne Armstrong, Ph.D.
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)



Atty. Docket No.: 0055-0307P
Page 1 of 1

RE'

10-07-2003

DET

10-7-03

To the Hon...
Please record the attach.
102568256

ademarks:
copy thereof.

1. Name of conveying party(ies):

Fuji Yakuhin Kogyo Kabushiki Kaisha

Additional name(s) of conveying party(ies) attached?

 YES NO

2. Name

ess of receiving party(ies)

DAIICHI FINE CHEMICAL CO., LTD.
530, Chokeiji, Takaoka-shi, Toyama 933-8511 JAPAN

3. Nature of conveyance:

 Change of Name

Additional name(s) & address(es) attached? YES NO

Execution Date: October 1, 2001

4. Application number(s) or patent number(s):

Patent No.(s).

Patent Application No(s).

- | | | | |
|--------------|--------------|--------------|---------------|
| 1. 4,861,875 | 4. 5,275,949 | 7. 5,834,212 | 10. 6,313,341 |
| 2. 4,985,567 | 5. 5,316,914 | 8. 6,184,022 | 11. 6,284,914 |
| 3. 5,100,874 | 6. 5,372,940 | 9. 6,147,114 | |

Additional numbers attached? YES NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: BIRCH, STEWART, KOLASCH & BIRCH, LLP
Street Address: P.O. BOX 747
City: FALLS CHURCH State: VA ZIP: 22040-0747
Country: USA

6. Total No. of applications/patents involved: one (1)

7. Total fee (37 C.F.R. § 3.41): \$40.00

 Enclosed

 Authorized to be charged to deposit account,
if no fee attached.

8. Deposit account number: 02-2448

(Attach triplicate copy of this page
if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Marc S. Weiner, #32,181
Name of Person Signing/Reg. No.

Signature

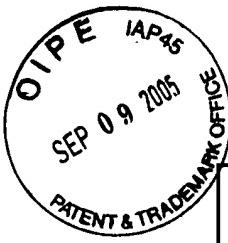
October 2, 2003
Date

MSW/KJR/crt

(Rev. 02/11/02)

10/06/2003 ECOOPER 00000216 4061875

01 FC:0021 400.00 00



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	500.00
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Complete if Known	
Application Number	Patent#: 6,825,024B1
Filing Date	Issued: November 30, 2004
First Named Inventor	Motoharu SEIKI
Examiner Name	Prouty, Rebecca E.
Art Unit	1652
Attorney Docket No.	0055-0310P

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: 02-2448 Deposit Account Name: Birch, Stewart, Kolasch & Birch, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

<u>Fee (\$)</u>	<u>Small Entity</u>
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 =	x	=	

<u>Multiple Dependent Claims</u>	
<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
—	—

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 =	x	=	

<u>Multiple Dependent Claims</u>	
<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
—	—

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)		100.00
Other (e.g., late filing surcharge): / Certificate of correction		400.00
Petition under 37 CFR 1.183		

SUBMITTED BY

Signature	<u>MaryAnne Armstrong, Ph.D.</u>	Registration No. (Attorney/Agent)	40,069
Name (Print/Type)	MaryAnne Armstrong, Ph.D.	Date	September 9, 2005



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to:

MS Post Issue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Number	6,825,024B1 Conf. #6821
Issue Date	November 30, 2004
First Named Inventor	Motoharu SEIKI
Art Unit	1652
Examiner Name	Prouty, Rebecca E.
Attorney Docket Number	0055-0310P

Enclosed is a petition filed under 37 CFR 1.83 that requires a processing fee (37 CFR 1.17(f)), (g), or (h). Payment of \$ 400.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

- The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2448 :
 Petition fee under 37 CFR 1.17(f), (g) or (h) Any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.
- Check in the amount of \$ 400.00 is enclosed.
- Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

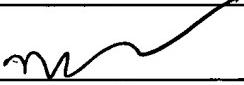
For petitions filed under:
 § 1.53(e) – to accord a filing date.
 § 1.57(a) – to accord a filing date.
 § 1.182 – for decision on a question not specifically provided for.
 § 1.183 – to suspend the rules.
 § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
 § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:
 § 1.12 – for access to an assignment record.
 § 1.14 – for access to an application.
 § 1.47 – for filing by other than all the inventors or a person not the inventor.
 § 1.59 – for expungement of information.
 § 1.103(a) – to suspend action in an application.
 § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
 § 1.295 – for review of refusal to publish a statutory invention registration.
 § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
 § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) – for patent owner requests for extension of time in *ex parte* reexamination proceedings.
 § 1.956 – for patent owner requests for extension of time in *inter partes* reexamination proceedings.
 § 5.12 – for expedited handling of a foreign filing license.
 § 5.15 – for changing the scope of a license.
 § 5.25 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:
 § 1.19(g) – to request documents in a form other than that provided in this part.
 § 1.84 – for accepting color drawings or photographs.
 § 1.91 – for entry of a model or exhibit.
 § 1.102(d) – to make an application special.
 § 1.138(c) – to expressly abandon an application to avoid publication.
 § 1.313 – to withdraw an application from issue.
 § 1.314 – to defer issuance of a patent.


 Signature _____ Date _____

MaryAnne Armstrong, Ph.D.

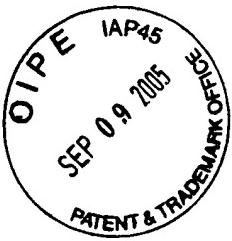
September 9, 2005

Typed or printed name _____

Date _____

40,069 _____

Registration No., if applicable _____



Docket No.: 0055-0310P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Motoharu SEIKI et al.

Patent No.: 6,825,024B1

Issued: November 30, 2004

For: NOVEL METALLOPROTEINASE AND
ENCODING DNA THEREFOR

**REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.323**

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a Certificate of Correction (Form PTO-1050) in connection with the above-identified patent. Our check in the amount of \$100.00 covering the fee set forth in 37 C.F.R. 1.20(a) is enclosed.

It is noted that the attached Certificate of Correction form is being filed to correct the name of the Assignee. As evidenced by the "Change of Name Documents" recorded with the U.S. Patent and Trademark Office on October 2, 2003, the Assignee changed its name from "Fuji Yakuhin Kogyo Kabushiki Kaisha" to "Daiichi Fine Chemical Co., Ltd.".

09/12/2005 EAYALEW1 00000046 6825024

01 FC:1811

100.00 0P

The error now sought to be corrected is an inadvertent typographical error, the correction of which does not involve new matter or require re-examination.

Patentee respectfully solicits the granting of the requested Certificate of Correction.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: September 9, 2005

Respectfully submitted,

By 
MaryAnne Armstrong, Ph.D.
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,825,024B1
APPLICATION NO. : 09/689,730
ISSUE DATE : November 30, 2004
INVENTOR(S) : Motoharu SEIKI et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Change: (73) Assignee: Fuji Yakuhin Kogyo Kabushiki Kaisha, Toyama-ken (JP)

To: (73) Assignee: DAIICHI FINE CHEMICAL CO., LTD., Toyama (JP)

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Marc S. Weiner
BIRCH, STEWART, KOLASCH & BIRCH, LLP 1
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747